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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,560	05/16/2001	Michael Bradley	US 1265/01	1511

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EXAMINER

PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/855,560

Applicant(s)

BRADLEY ET AL.

Examiner

Namitha Pillai

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The Examiner acknowledges Applicant's submission on 1/25/06 including amendments to claims 1 and 7 to better specify the present invention. All pending claims have been rejected as being obvious over prior art disclosed. U. S. Patent No. 6, 449, 604 B1 (Hansen et al.), herein referred to as Hansen, teaches comparison of time data to determine if a new page has been accessed but does not clearly disclose reliance of the coding identifier in the report file for comparison for determining if a new page has been accessed. The comparison of page displayed with coding identifier is well known in the field of caching as taught in "Cache Tutorial for Web Authors and Webmasters" (Mark Nottingham), herein referred to as Nottingham, for delivering up to date information concerning web pages and is an obvious teaching.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen and Nottingham.

Referring to claim 1, Hansen discloses a method of displaying analytics about a website resident on a server computer (column 1, lines 10-12 and column 4, lines 32-34). Hansen discloses causing a browser program to be opened on the server

Art Unit: 2173

computer with a first display frame and a second display frame immediately adjacent to the first display frame, wherein the first display frame comprises a page of the website (column 2, lines 62-67). Hansen discloses writing a unique first identifier associated with the content of the page in and to the page displayed in the first display frame and creating an interface call to a report server (column 3, lines 18-42), wherein the unique identifier can represent URLs and other identifiers found within the web page, wherein used as an index to access report data. Hansen also discloses retrieving a report file corresponding to the first identifier from the report server (column 3, lines 28-36).

Hansen discloses displaying the analytics in the report file in the second display frame (column 2, lines 62-65). Hansen also discloses after a pre-determined period of time, making a comparison to make sure that a new page has been accessed and, (f) if different, repeating the method from step (b) for the page displayed in the first display frame, or (g) if the same, resetting for a second of the pre-determined period of time and repeating the method from step (e) (column 9, lines 15-37). Hansen discloses that the URL can be used for identification but Hansen also further cites other examples of identifier used in displaying the secondary information. Hansen teaches using an identifier through CGI mechanisms, with this CGI mechanism involving using an identifier that is associated with coding content of the page (column 8, lines 18-32).

Hansen discloses using time to compare to determine if a new page has been accessed but does not disclose using comparing the pages and the identifiers associated with the pages. Nottingham teaches a well-known cache system, where an identifier is used to compare the pages displayed (page 4, lines 1-32). Nottingham teaches a file with

Art Unit: 2173

information that includes identifier data, with the identifier data being used to compare pages and making adjustments based on differences found in the identifiers (page 4, lines 1-32). It would have been obvious for one skilled in the art, at the time of the invention to learn from Nottingham to teach after a distinct period of time a report file comparing the page displayed with the first identifier and accessing the necessary data based on the results of the comparison. Comparing pages with identifiers and further accessing pages based on this comparison is taught in cache processing, which is well known in memory and internet fields. The cache system compares the currently displayed page with identifiers to access the up to date information and thereby teaches a comparison mechanism that relies on web pages and identifiers. Hence, it would have been obvious for a web application such as the one used in Hansen to use identifiers to compare the pages teaching a cache system for displaying web pages. The comparison step taught in step (e) is taught by the well-known process carried out during comparison in caching web pages.

Referring to claims 2 and 3, Hansen discloses that the analytics are gathered from technical specifications of visitors to the website (column 6, lines 4-20).

Referring to claims 4 and 9, Hansen discloses that the steps are carried out by a module launched from a reporting program resident on the server computer (column 4, lines 32-34).

Referring to claims 5 and 8, Hansen discloses that the steps are carried out by a module launched from a reporting program resident on the report server (column 4, lines 32-34).

Referring to claims 6 and 10, Hansen discloses that step b is carried out by starting an initializing file configured to tag the page displayed in the first display frame with the first identifier and create the interface call to the report server (column 5, lines 25-34).

Referring to claim 7, Hansen discloses a computer software product for configuring a computer to display analytics about a website resident on a server computer (column 1, lines 10-12 and column 4, lines 32-34). Hansen discloses launching an analytics module (column 5, lines 29-35). Hansen discloses causing a browser program to be opened on the server computer with a first display frame and a second display frame immediately adjacent to the first display frame, wherein the first display frame comprises a reproduction of a page of the website (column 2, lines 62-67). Hansen discloses writing a unique first identifier associated with content of the page in and to the page displayed in the first display frame with a first identifier and creating an interface call to a report server (column 3, lines 18-42), wherein the unique identifier can represent URLs and other identifiers found within the web page, wherein used as an index to access report data. Hansen discloses retrieving a report file corresponding to the first identifier from the report server (column 3, lines 28-36). Hansen also discloses displaying the analytics in the report file in the second display frame (column 2, lines 62-65). Hansen also discloses after a pre-determined period of time, the report file comparing a page identifier of the page displayed in the first display frame with the first identifier and if different, repeating the method from step (c) for the page displayed in the first display frame in order to update the report to match the page

Art Unit: 2173

currently displayed or if the same, resetting for a second if the pre-determined period of time and repeating the method from step (f) until the page identifier differs from the first identifier (column 3, lines 4-9 and column 9, lines 15-37). Hansen also discloses after a pre-determined period of time, making a comparison to make sure that a new page has been accessed and, (f) if different, repeating the method from step (b) for the page displayed in the first display frame, or (g) if the same, resetting for a second of the pre-determined period of time and repeating the method from step (e) (column 9, lines 15-37). Hansen discloses that the URL can be used for identification but Hansen also further cites other examples of identifier used in displaying the secondary information. Hansen teaches using an identifier through CGI mechanisms, with this CGI mechanism involving using an identifier that is associated with coding content of the page (column 8, lines 18-32). Hansen discloses using time to compare to determine if a new page has been accessed but does not disclose using comparing the pages and the identifiers associated with the pages. Nottingham teaches a well-known cache system, where an identifier is used to compare the pages displayed (page 4, lines 1-32). Nottingham teaches a file with information that includes identifier data, with the identifier data being used to compare pages and making adjustments based on differences found in the identifiers (page 4, lines 1-32). It would have been obvious for one skilled in the art, at the time of the invention to learn from Nottingham to teach after a distinct period of time a report file comparing the page displayed with the first identifier and accessing the necessary data based on the results of the comparison. Comparing pages with identifiers and further accessing pages based on this comparison is taught in cache

processing, which is well known in memory and internet fields. The cache system compares the currently displayed page with identifiers to access the up to date information and thereby teaches a comparison mechanism that relies on web pages and identifiers. Hence, it would have been obvious for a web application such as the one used in Hansen to use identifiers to compare the pages teaching a cache system for displaying web pages. The comparison step taught in step (e) is taught by the well-known process carried out during comparison in caching web pages.

Referring to claim 11, Hansen discloses that the identifier is a cookie stored in the browser program (column 8, lines 7-8).

Referring to claim 12, Hansen discloses that the initializing file is an HTML file (column 5, lines 25-34).

Referring to claim 13, Hansen discloses that the analytics are displayed in graphical format (column 6, lines 12-15).

Referring to claim 14, Hansen discloses that the analytics are displayed in tabular format (column 6, lines 17-19).

Referring to claims 15 and 16, Hansen and Nottingham do not disclose that pre-determined time is in the range of 0.1 seconds to 1 second or that the preferable time would be 0.5 seconds. It would have been obvious for one skilled in the art at the time of the invention to set the predetermined time within the range of 0.1 seconds to 1 second with a preference for 0.5 seconds. Hansen discloses a threshold value of T which may represent any value chosen by the developer of the system, wherein this T determines the predetermined time that is considered for changes to a website. Based

Art Unit: 2173

on the need of the system and the users, the developer of the system would choose any value for the T, one of those values being within the range of 0.1 to 1 seconds with a preference for 0.5 seconds.

Referring to claim 17, Hansen discloses that the report server and the server computer are the same (column 4, lines 32-34).

Referring to claim 18, Hansen discloses that the interface call is carried out by a common gateway interface script (column 8, lines 18-20).

Referring to claim 19, Hansen discloses that the page identifier is the uniform resource locator of the web page (column 3, lines 29-36).

Response to Arguments

3. Applicant's arguments, filed 1/25/06, with respect to Hansen not disclosing that the report file compares the page displayed with a first identifier have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of Nottingham.

4. Applicant's arguments filed with respect to unique identifier feature have been fully considered but they are not persuasive.

The use of Meta tags and scripts are taught in Hansen. Hansen has referred to processes using coding means for representing an identifier, which I used for tracking visitors to a web page (column 8, lines 19-30). The CGI mechanisms rely on coding data to access data that may dynamically change. Furthermore, Hansen teaches the

storing and accessing of cookie files, which can represent report files, with these cookie files including coding identifiers that can be accessed based on visitor interaction.

Conclusion

5. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach the method for displaying web page statistics data.

Responses to this action should be submitted as per the options cited below: The United States Patent and Trademark Office requires most patent related correspondence to be: a) faxed to the Central Fax number (571-273-8300) b) hand carried or delivered to the Customer Service Window (located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in 37 CFR 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the Office using the Office's Electronic Filing System.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record


Art Unit: 2173

includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Namitha Pillai
Assistant Examiner
Art Unit 2173
April 13, 2006



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173